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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

ORIE KELLY, JR.

CIVIL ACTION NO. 05-0076

versus

JUDGE HICKS

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION

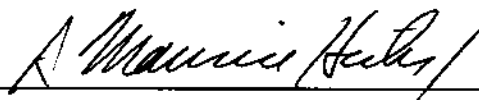
MAGISTRATE JUDGE HORNSBY

J U D G M E N T

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, no written objections having been filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that the Commissioner's **Motion to Dismiss (Doc. 7)**, converted to a motion for summary judgment, is **GRANTED** and this civil action is **DISMISSED** as untimely.

THUS DONE AND SIGNED at Shreveport, Louisiana, this the 7th day of July,
2005.


S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE